

BULLOCK, BULLOCK & BLAKEMORE, PLLC
Attorneys and Counselors at Law
110 West 7th Street, Suite 707
Tulsa, OK 74119-1031

Louis W. Bullock
Patricia W. Bullock
Robert M. Blakemore

918-584-2001
918-779-4383 (fax)

September 19, 2008

Michael Bond
Kutak Rock LLP
214 West Dickson St
The Three Sisters Building
Fayetteville, AR 72701-5221

(Via email and FedEx)

Re: *State of Oklahoma v. Tyson et al.*, No. 05-CV-0329-GKF-SAJ

Dear Michael:

Pursuant to the Court's order of January 5, 2007 (Dkt. 1016), and without waiving our objections, we are today FedExing to you STOK-CD93, along with an index of the data being produced.

Included with this production is sampling that has been undertaken by the Oklahoma Scenic Rivers Commission (OSRC). As I have stated before, while the production of the OSRC data may be covered by other discovery from the Defendants, it is not subject to the Court's January 5, 2007 Order or the Court's Order which requires expedited production of the results of the analysis of data collected by the State's retained experts. These materials are being produced in this expedited fashion as an accommodation.

Please note that the Aquatec spreadsheets have been provided both in .tif format as well as in native EDD format on the CD.

Also included is preliminary data from Aquatic Research. The production of this data is being expedited pursuant to the Defendants' request and the Court's Order (Dkt. 1710). It is important to understand that in order to expedite the production of this data, we have not been able to complete our internal QA/QC process this data. When that review is completed, we will supplement the production.

Should you have any questions concerning this production, please do not hesitate to call.

Sincerely,



Louis W. Bullock

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SEP 22 2008

Exhibit R

State of Oklahoma v. Tyson, et al.
Plaintiff's Document Production Index
For documents produced September 19, 2008

STOK 56777-56785	Oklahoma Scenic Rivers Commission (OSRC) Quality Assurance Laboratory Sample Analysis Report 2008082612 (604346-604354) Date of sampling: 08-26-08	STOK-CD93
STOK 56786-56794	Oklahoma Scenic Rivers Commission (OSRC) Quality Assurance Laboratory Sample Analysis Report 2008090307 (605971-605979) Date of sampling: 09-03-08	STOK-CD93
STOK 56795-56835	Oklahoma Scenic Rivers Commission (OSRC) Illinois River Bacteria Sampling Program Field notebooks and chain of custody forms Date of sampling: 05-22-08 through 09-03-08	STOK-CD93
STOK 56836-56839	EML 454097 with COC	STOK-CD93
STOK 56840-56842	EML 454571 with COC	STOK-CD93
STOK 56843-56845	Aquatec Biological Sciences Analytical Report with chain-of-custody record BTR No. 11408; Project No. 08044	STOK-CD93
STOK 56846	Aquatec Chlorophyll: EDD 11320 (Excel spreadsheet) (See also: EDD data on STOK0CD93)	STOK-CD93
STOK 56847	Aquatec Chlorophyll: EDD 11408 (Excel spreadsheet) (See also: EDD data on STOK-CD93)	STOK-CD93
STOK 56848-56849	Aquatic Research CDM002-94 (preliminary report)	STOK-CD93
STOK 56850-56851	Aquatic Research CDM002-95 (preliminary report)	STOK-CD93
STOK 56852	Aquatic Research Inc – Chain of Custody record	STOK-CD93
STOK 56853	Aquatic Research Inc – Chain of Custody record	STOK-CD93
STOK 56854-56859	Field book, Litho: "IRW River Sampling 2008 and Miscellaneous"	STOK-CD93
STOK 56860-56931	Field book, Litho: "Edge of Field 2008 and Miscellaneous"	STOK-CD93